

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LANA WELTON,
Plaintiff,
v.

SANTA ROSA COMMUNITY HEALTH-
DUTTON CAMPUS, et al.,
Defendants.

Case No. 24-cv-02236-SK

ORDER TO SHOW CAUSE

On April 16, 2024, the Defendants removed this action from Small Claims Court of the Superior Court of California, Sonoma County, to the District Court for the Northern District of California. (Dkt. No. 1.) Shortly thereafter, Defendants consented to the jurisdiction of a magistrate judge (Dkt. No. 5) and moved to dismiss Plaintiff's Complaint for lack of jurisdiction, with a hearing date of June 24, 2024. (Dkt. No. 6.) On May 2, 2024, the Court received returned mail that had been mailed to Plaintiff using the address she had listed on her Complaint. (Dkt. No. 12; *see* Dkt. No. 1.)

Significantly, Plaintiff, who is proceeding *pro se*, then missed her opposition deadline of May 6, 2024, to Defendants' motion to dismiss. (*See id.*) Defendants filed a reply and declaration, wherein they noted Plaintiff's returned mail and outlined their efforts to communicate with Plaintiff using an email address she had listed. (Dkt Nos. 13, 14.)

In light of the forgoing, the Court hereby ORDERS Plaintiff to SHOW CAUSE, in writing, as to why this action should not be referred to a district judge with a recommendation that the case be dismissed.¹ Should Plaintiff wish to respond to Defendants' motion to dismiss, she must do so

¹ Plaintiff has missed several consent/declination deadlines (Dkt. Nos. 4, 9) and has a current deadline of May 20, 2024, to file consent or declination to the jurisdiction of a magistrate

1 at the same time she responds to this Order to show cause. Plaintiff shall have through July 1,
2 2024, to file her response, which is 60 days past the date of the Court first received returned mail
3 intended for Plaintiff. The Court admonishes Plaintiff that if she fails to file a response to this
4 Order to show cause, the Court will—without further warning—issue an order of reassignment
5 with a report and recommendation to dismiss this action for Plaintiff's failure to notify the Court
6 of her current address. Civil L.R. 3-11(b).

7 Accordingly, the Court hereby vacates the June 24, 2024 hearing date on Defendants'
8 motion to dismiss. Should Plaintiff adequately respond to the Order to show cause and provide an
9 opposition to Defendants' motion, the Court will reset a hearing date at that time.

10 Further, the Court orders that Defendants attempt to serve this Order on Plaintiff using the
11 email method outlined in the Declaration of Jevechius Bernardoni. (Dkt. No. 14.)

12 **IT IS SO ORDERED.**

13 Dated: May 13, 2024

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15 SALLIE KIM
16 United States Magistrate Judge
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judge. (Dkt. No. 11.)